

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

UNITED STATES OF AMERICA)
) **Criminal No. 6:19-cr-00006**
)
)
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)
)
v.)
)
ASHLEY GUNTER)
)

For the reasons set forth herein, counsel for Ashley Gunter moves pursuant to 18 U.S.C. 3161 et seq. to continue the trial date in the above referenced matter.

DISCUSSION

1. The indictment in this case was returned by the Grand Jury in February 2019. The trial date has been continued until December 4, 2019.
2. The Speedy Trial Act generally requires that a criminal trial begin within seventy days of the filing of an information or indictment or the defendant's initial appearance. 18 U.S.C. § 3161(c)(1). However, in determining whether to grant a continuance, the court may consider factors such as whether counsel needs additional time to prepare effectively taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).
3. Counsel for the Defendant is asking for additional time to complete a mental health/psychological/capacity evaluation, which is underway but not completed. The Defendant in this case suffers from physical and mental impairments, including a significant hearing loss as well as intellectual delays.
4. Defense counsel experienced some delay in arranging for the services of an appropriate

evaluator. An expert along with a funding request has now been authorized. Defense counsel and the expert are now gathering some medical and mental health records which are needed to conduct a thorough evaluation

5. Counsel is asking that the matter be continued upon the Court's docket to allow her expert time to conduct a complete evaluation.
6. The Government is not opposed to the request to continue the trial in this matter.
7. A new trial date of March 3-4, 2020 is available and is agreeable to all counsel.
8. Defendant submits that for the reasons outlined above the ends of justice served by the granting of a continuance outweigh the best interests of the public in a speedy trial.

WHEREFORE, Defendant Ashley Gunter respectfully requests the Court to grant this Motion for Continuance.

DATED: November 7, 2019

Respectfully submitted,

/s/ Linda G. Willis
Counsel for Ashley Gunter

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CERTIFICATE OF SERVICE

I, Linda G. Willis, Esq. hereby certify that I have filed the Motion for Continuance using the ECF filing system for the U.S. District Court for the Western District of Virginia, Lynchburg Division, and service will be provided to all counsel of record including Coleman Adams, Assistant United States Attorney, on this 7th day of November, 2019.

/s/Linda G. Willis
Linda G. Willis